

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ALBERT PATTERSON, d/b/a WORLD
WRESTLING ASSOCIATION, d/b/a
SUPERSTARS OF WRESTLING, INC.
and d/b/a W.W.A. SUPERSTARS,

Case No. 04-C-0192

Plaintiff,

vs.

Magistrate Judge
William E. Callahan

TNA ENTERTAINMENT, LLC,

Defendant.

AFFIDAVIT OF JENNIFER A. PUPLAVA

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I, Jennifer A. Puplava, being duly sworn, depose and state as follows:

1. Attached as **Exhibit A** is a true and correct copy of Judge Rudolph Randa's Decision and Order in *Patterson v World Wrestling Entertainment, Inc.* (Case No. 03-C-374), 2006 US Dist. Lexis 7453 (E.D. Wis. January 31, 2006).
2. Attached as **Exhibit B** is a true and correct copy of Judge Rudolph Randa's August 21, 2006 decision in *Patterson v World Wrestling Entertainment, Inc.* (Case No. 03-C-374).
3. Attached as **Exhibit C** are true and correct copies of relevant portions of the deposition of Albert Patterson taken on June 20, 2006.
4. Attached as **Exhibit D** are true and correct copies of relevant portions of the deposition of Stephen D. Campbell taken June 27, 2006.

5. Attached as **Exhibit E** is a true and correct copy of Exhibit 2, and the first page of Exhibit 6, to the deposition of Andrew Barton taken July 20, 2006.

6. Attached as **Exhibit F** are true and correct copies of the relevant portions of the deposition of Andrew Barton taken July 20, 2006.

7. Attached as **Exhibit G** is a true and correct copy of the December 31, 1999 Declaration of Use of Mark in Commerce under §8 by Albert Patterson for Reg. No. 1,857,015 as available at www.uspto.gov.

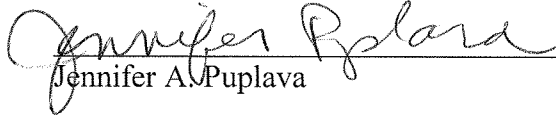
8. Attached as **Exhibit H** is a true and correct copy of *Duffy-Mott Company, Inc. v Cumberland Packing Company*, 57 C.C.P.A. 1046 (United States Court of Customs and Patent Appeals, 1970).

9. Attached as **Exhibit I** is a true and correct copy of Exhibit 2 to the deposition of Albert Patterson taken on June 20, 2006.


10. Counsel for the parties to this litigation early during the discovery process agreed that all financial documents produced by TNA during the course of discovery would be treated as confidential and produced subject to the Court's September 7, 2004 Protective Order in this case. (See, e.g., O'Neil dep., pp. 34-37, which is attached as **Exhibit J**, and Plaintiff's Second Request to Produce Documents to Defendant TNA, which is attached as **Exhibit K**, in which Plaintiff acknowledges that "Plaintiff agrees to abide by the protective order issued by the Court with respect to documents produced pursuant to this request.") That September 7, 2004 Order allowed the filing of documents under seal. Pursuant to TNA's Motion Requesting Filing Under Seal, which has been filed contemporaneously herewith, TNA requests that the Affidavit of Dean Broadhead, which contains confidential financial information regarding profits/losses, be filed

under seal. The Affidavit of Dean Broadhead has been submitted in an envelope marked "Request for Confidentiality Pending" to the clerk for filing.

Dated: September 11, 2006


Jennifer A. Puplava

Subscribed and sworn to before
me this 11th day of September, 2006.


Jane E. Blakemore, Notary Public
Kent County, Michigan
Acting in Kent County, Michigan
My commission expires: 1/2/2008

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